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Implications of Generational and Aging Effects

As people age, their eating patterns change. The dishes of youth—foot-long hot-dogs, spicy Buffalo wings, and beer—are often replaced by broiled fish, baked potatoes, and high-bran cereal as a person's metabolism slows and health concerns become more central to well-being.



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Generational effects also shape food choices. People born during the 1920s and 1930s generally grew up eating more typical "American fare"—eggs for breakfast, sandwiches for lunch, and pot roasts for dinner. Younger generations have had more exposure in their early years to McDonald's Happy

Meals and the cuisines of Southeast Asia and Latin America brought by America's more recent immigrants. "Generation X" tends to eat away from home more often than their grandparents do.

Aging and generational effects can influence spending on specific food groups. ERS researchers looked at the impact of both of these effects on per capita spending for milk, cheese, ice cream, and other dairy products bought in supermarkets, convenience stores, and other food stores. They found that both the aging of the U.S. population and the succession of the generations are working against at-home spending on dairy products.

Per capita, at-home spending on dairy products, adjusted for inflation, was estimated for eight generational groups, starting with group 1, who were 26-30 years old in 1982, and ending with group 8, who were 61-65 years old in the same year. The analysis followed each generational group over time.

Juries Award Higher Amounts for Severe Foodborne Illnesses

U.S. food firms have a variety of incentives to produce safe products. Firms risk losing sales and reputation if consumers become concerned about the safety of the firms' products. Firms that violate Federal, State, or local food safety laws or regulations may face fines, recalls, or plant closures. And, finally, firms responsible for contaminated food products that make people ill can be sued by the people or their families. Many food poisoning lawsuits are settled out of court, and there is limited information on these settlements because of confidentiality provisions. Thus, the effectiveness of litigation in providing firms with incentives to produce safer food products has been largely unstudied.

To address this research void, ERS researchers analyzed a sample of 175 foodborne illness lawsuits resolved in court during 1988-97. Verdicts and award amounts in court cases are a matter of public record. The researchers found that less than a third of plaintiffs (55 cases) won compensation for their foodborne illness from food processors,

restaurants, or other food firms. The "expected award"—the average compensation including the cases in which plaintiffs lost as well as won—granted by juries to plaintiffs in such trials was \$41,888.

Injury severity is a major factor affecting an expected award. ERS researchers divided the 175 court cases into three severity categories: 6 cases involved a premature death, 60 cases involved nonfatal injuries severe enough to require hospitalization, and 109 cases involved less severe illnesses.

The expected award for a lawsuit that claimed a premature death as a result of a food poisoning was \$183,053, far higher than the expected awards for nonfatal illnesses.



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However, the award distribution was highly skewed, with the two largest awards accounting for 51 percent of the \$7.3 million total awarded in the 55 plaintiff victories. Thus, even if plaintiffs win compensation, they will likely receive less compensation than these estimates. The median award for the 55 plaintiff victories was \$25,560. \mathbb{W}

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This finding is drawn from . . .

Product Liability and Microbial Foodborne Illness, by Jean C. Buzby, Paul D. Frenzen, and Barbara Rasco, AER-799, USDA/ERS, April 2001, available at: www.ers.usda.gov/publications/aer799/

Cases of severe food poisoning are more often won by plaintiffs and carry higher awards

Illness severity	Court cases during 1988-97 with award information	Percent won by plaintiff	Expected award per case
	Number	Percent	1998 dollars
Premature death	6	66.7	183,053
Hospitalized & survived	60	31.7	44,713
Other cases	109	29.4	32,563
Total	175	31.4	41,888